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REMARKS

Claims 1, 10, 13, 14, and 19 were rejected in an Office Action dated December 30, 2005. Claims 1 and 19 have been amended. Support for the amendments may be found in the "Detailed Description of the Invention." Applicants respectfully request reconsideration of the present application in view of the following remarks.

Rejection under 35 U.S.C. §112, 2nd ¶

Claim 1 was rejected under §112, 2nd paragraph for insufficient antecedent basis for the phrase annular portion. Applicants assert that the amendment to the claim renders this rejection moot. Removal is respectfully requested.

Rejections under 35 U.S.C. §103(a)

Claims 1, 10, 13, 14, and 19 are rejected under 35 U.S.C. §103(a) as being unpatentable over Minor et al. (US Patent No. 6,485,809) in view of Grover (US Patent No. 3,770,285). Applicants respectfully traverse the rejection.

In contrast to the present invention, Minor et al. is directed specifically to a unitary gasket. The unitary gasket of Minor et al. is a low stress to seal gasket comprised of porous expanded PTFE. Because the gasket of Minor et al. is intended for use in applications where there is low available stress, some porosity is left in the expanded PTFE layers (column 7). To prevent the escape of fluids through leak paths through the expanded porous PTFE layers and to the environment, the unitary gasket further comprises impermeable layers at strategic placement. For example, in one embodiment, an air impermeable section is placed between two chambers of expanded porous PTFE to block flow from one chamber to another. There is simply no disclosure or suggestion of modifying the unitary gasket of Minor by splitting it and rejoining it to form an annular sealing material. No incentive is provided by Minor et al. to one skilled in the art who would recognize the disadvantageous effect of introducing a potential leak path at a joint in a low stress to seal gasket of a porous material which is not fully compressed in use.

Grover is directed to a packing ring having an outer lamination of a metal-filled Teflon PTFE and an elastomeric inner lamination. Further provided is a method of mounting the sealing material using adhesive, adhering the ends of the sealing material to the groove, wherein the ends overlap in a step-joint.

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Grover does not, however, disclose an expanded porous PTFE gasket material. Nor does Grover disclose or suggest a method for joining a porous expanded PTFE sealing material. There is also no expectation that the method for mounting the sealing material and joining the ends of the Teflon/elastomer sealing material in a step-joint would provide a successful method for joining a porous expanded PTFE sealing material in a manner capable of preventing permeation of fluids therethrough in a low stress-to-seal application. Where there is no incentive to modify Minor et al., no reasonable method for doing so, and/or expectation of success, a prima facie case of obviousness has not been established. Removal of the rejection under §103(a) is therefore respectfully requested.

Moreover, specifically with regard to claim 13 of the instant invention, a closed annular sealing material is claimed in which the ePTFE layers are laminated in the width direction (page 11, lines 1-15, and illustrated in Fig. 5.) The orientation of materials laminated in the thickness direction is illustrated by Figs. 6 and 7. The claimed invention is distinguishable from Minor et al. in view of Grover. In contrast to the claimed invention, Minor et al. appears to disclose a unitary gasket formed from a material laminated in the thickness direction, i.e. the ePTFE layers lie parallel to the direction of fluid leakage. The removal of the rejection to claim 13 is respectfully requested.

Conclusion

In view of the claim amendments and comments, applicants deem the above application in condition for allowance. A prompt and favorable response is requested. However, if any further action on the part of applicants is required, the Examiner is encouraged to contact applicants' undersigned representative.

Respectfully submitted,



Dianne Burkhard, 41,650
W. L. Gore & Associates, Inc.
551 Paper Mill Road
P.O. Box 9206
Newark, DE 19714-9206
(302) 738-4880

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